

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Yasuno et al.
Serial No. : 10/529,713
Filed : March 29, 2005
Title : OLIGONUCLEOTIDES FOR GENOTYPING THYMIDYLATE SYNTHASE GENE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

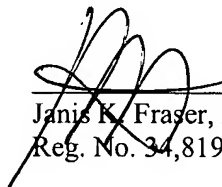
In response to the Notification of Missing Requirements mailed January 31, 2006 (copy enclosed), Applicants as a large entity submit herewith the following:

- ☒ Check in payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration.
- ☒ Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☒ Preliminary Amendment (3 pages);
- ☒ Computer readable and paper copy containing sequence listing (2 pages); and
- ☒ Verified Statement Under 37 CFR §1.821(f).

It is understood that this perfects the application and no additional papers or filing fees are required. Apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 18201-003US1.

Respectfully submitted,

Date: 3/31/2006


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04/04/2006 LLANDGRA 00000055 10529713

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130.00 DP

CERTIFICATE OF MAILING BY EXPRESS MAIL

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March 31, 2006
Date of Deposit



UNITED STATES PATENT AND TRADEMARK OFFICE

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| | | |
|-------------------------------|-----------------------|---------------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/529,713 | Hideyuki Yasuno | 18201-003US1 RCJA0213P-US |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/JP02/10167 | | |
| LA. FILING DATE | PRIORITY DATE | |
| 09/30/2002 | | |

26161
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 MINNEAPOLIS, MN 55440-1022

CONFIRMATION NO. 4470
 371 FORMALITIES LETTER



OC000000017944201

Date Mailed: 01/31/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/29/2005
- Copy of the International Search Report filed on 03/29/2005
- Copy of IPE Report filed on 03/29/2005
- Preliminary Amendments filed on 03/29/2005
- Information Disclosure Statements filed on 11/28/2005
- Biochemical Sequence Diskette filed on 03/29/2005
- U.S. Basic National Fees filed on 03/29/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|---------------------------|
| 10/529,713 | PCT/JP02/10167 | 18201-003US1 RCJA0213P-US |

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VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Katica Magovcevic, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 3/30/2006



Katica Magovcevic

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March 31, 2006
Date of Deposit